

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22440 of 2025

Arising Out of PS. Case No.-145 Year-2024 Thana- FESHAR District- Aurangabad

Bittu Kumar Son of Vinay Yadav Resident of Village - Dosma, P.S. - Feshar,
District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Roji Kumari Daughter of Sanoj Ram Resident of Village - Dosma, P.S. - Feshar, District - Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Pandey, Advocate Mr. Bachan Jee Ojha, Advocate
For the State	:	Mr. Binay Krishna, APP
For the O.P. No.2	:	Mr. Rajeev Ranjan No.II, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 24-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused

2. The petitioner seeks bail in connection with Feshar P.S. Case No. 145 of 2024 instituted for the offence under Sections 126(2), 70(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4/6 of the POCSO Act and Sections 3(i)(r)(s), w(i)(ii) & 3(2)(v) of the SC/ST Act.

3. Prosecution case in a nutshell is that petitioner along with one another co-accused person has gang raped the victim.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 24-12-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that occurrence took place in the night at 7 PM and there was no any source of light in which accused could be identified. It is next submitted that it is very strange that victim did not raise any alarm at the time of occurrence. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that victim has fully supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, nature and accusation levelled against the petitioner coupled with the fact that victim has fully supported the prosecution case in her statement recorded under Section 183 of the BNSS, 2023, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby



rejected.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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